

1 MICHAEL E. McFARLAND, JR., #23000  
2 Evans, Craven & Lackie, P.S.  
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5 (509) 455-5200; fax (509) 455-3632  
6 Attorneys for Defendants

7 UNITED STATES DISTRICT COURT  
8 FOR THE WESTERN DISTRICT OF WASHINGTON

9 DAWN DOBBINS,

10 Plaintiff,

11 vs.

Case No.  
Thurston County Superior Court  
Cause No. 17-2-03315-34

13 WAFLA, a Washington Corporation;  
14 and DAN FAZIO and JANE DOE  
15 FAZIO, husband and wife and the  
16 marital community comprised thereof,

CERTIFICATE OF MICHAEL E.  
McFARLAND, JR.

17 Defendants.  
18

19 I, Michael E. McFarland, Jr., certify under penalty of perjury under the laws  
20 of the United States and the State of Washington that the following is true and  
21 correct to the best of my knowledge:  
22

23 I am the attorney of record for Defendants in the above-entitled matter and  
24 am competent to testify to the facts set forth herein:  
25

26 Attached as **Exhibit A** is a true and correct copy of the Summons and the  
27 Complaint of which were filed on or about June 9, 2017. Defendants were served  
28 with the Summons and Complaint on June 13, 2017.  
29

30 CERTIFICATE OF MICHAEL E. MCFARLAND, JR. - page 1

*Evans, Craven & Lackie, P.S.*  
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Spokane, WA 99201-0910  
(509) 455-5200; fax (509) 455-3632

1 Attached as **Exhibit B** is a true and correct copy of the June 12, 2017 Notice  
2 of Assignment and Notice of Trial Scheduling Date.

3  
4 Attached as **Exhibit C** is a true and correct copy of the Notice of  
5 Appearance filed by Michael McFarland on behalf of Defendants.

6  
7 DATED this 26th day of June, 2017.

8  
9 EVANS, CRAVEN & LACKIE, P.S.

10  
11  
12 By: /s/ Michael E. McFarland  
13 MICHAEL E. McFARLAND, JR., #23000  
14 Attorneys for Defendants  
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**CERTIFICATE OF SERVICE**

I hereby certify that on June 26, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

***Counsel for Plaintiffs***

Isaac Ruiz

Ian Birk

Keller Rohrbach, LLP

1201 Third Ave., Suite 3200

Seattle, WA 98101

[iruiz@kellerrohrbach.com](mailto:iruiz@kellerrohrbach.com)

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EVANS, CRAVEN & LACKIE, P.S.

By: /s/ Michael E. McFarland

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## **EXHIBIT A**

SUPERIOR COURT OF WASHINGTON IN AND FOR THURSTON COUNTY

DAWN DOBBINS,

Plaintiff,

No. 17-2-03315-34

v.

SUMMONS

WAFLA, a Washington Corporation; and DAN  
FAZIO and J. DOE FAZIO, husband and wife  
and the marital community comprised thereof;

Defendants.

THE STATE OF WASHINGTON, TO:

**WAFLA, DAN FAZIO, and J. DOE FAZIO, DEFENDANTS**

TO THE DEFENDANTS: A lawsuit has been started against you in the above-entitled court by plaintiff(s), DAWN DOBBINS. Plaintiff(s)' claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and by serving a copy upon the person signing this summons within 20 days after the service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where plaintiff(s)' is/are entitled to what has been asked for because you have not responded. If you serve a notice of

SUMMONS - 1

**KELLER ROHRBACK L.L.P.**  
1201 Third Avenue, Suite 3200  
Seattle, WA 98101-3052  
TELEPHONE: (206) 623-1900  
FACSIMILE: (206) 623-3334

1 appearance on the undersigned person, you are entitled to notice before a default judgment may  
2 be entered.

3 You may demand that the plaintiff(s) file this lawsuit with the court. If you do so, the  
4 demand must be in writing and must be served upon the person signing this summons. Within  
5 14 days after you serve the demand, the plaintiff(s) must file this lawsuit with the court, or the  
6 service on you of this summons and complaint will be void.

7  
8 If you wish to seek the advice of any attorney in this matter, you should do so promptly  
9 so that your written response, if any, may be served on time.

10 THIS SUMMONS is issued pursuant to Rule 4 of the Superior Court Civil Rules of the  
11 State of Washington.

12 DATED this 9th day of June, 2017.

13  
14 KELLER ROHRBACK L.L.P.

15  
16 By: Isaac Ruiz

17 Isaac Ruiz, WSBA #35237

18 Ian S. Birk, WSBA #31431

19 Attorneys for Plaintiff Dawn Dobbins  
20  
21  
22  
23  
24  
25  
26

SUPERIOR COURT OF WASHINGTON IN AND FOR THURSTON COUNTY

DAWN DOBBINS,

Plaintiff,

No. 17-2-03315-34

v.

COMPLAINT FOR MONEY DAMAGES

WAFLA, a Washington Corporation; and DAN  
FAZIO and J. DOE FAZIO, husband and wife  
and the marital community comprised thereof;

Defendants.

I. PARTIES

1.1. Plaintiff Dawn Dobbins resides in Thurston County, Washington, and is an  
employee of defendant Washington Farm Labor Association (WAFLA).

1.2. Defendant WAFLA is a Washington corporation and is the employer of Dobbins.  
WAFLA's principal place of business is in Thurston County, Washington, but WAFLA  
conducts business throughout Washington and particularly in places with substantial agricultural  
industries.

1.3. Defendant Dan Fazio resides in Thurston County, Washington, and is the  
Executive Director and Chief Executive Officer of WAFLA. Defendants Fazio and J. Doe Fazio

COMPLAINT FOR MONEY DAMAGES - 1

KELLER ROHRBACK L.L.P.

1201 Third Avenue, Suite 3200  
Seattle, WA 98101-3052  
TELEPHONE: (206) 625-1900  
FACSIMILE: (206) 625-3884

1 (whose true name is presently unknown) were spouses and formed a marital community at all  
2 materials times. The acts and omissions of Fazio were done on behalf of the marital community.

## 3 II. JURISDICTION AND VENUE

4 2.1. This Court has subject matter jurisdiction pursuant to Washington constitution  
5 art. IV § 6 and RCW 2.08.010.

6 2.2. Venue is proper in this Court pursuant to RCW 4.12.025.

7 2.3. All conditions precedent to the commencement of this action have been  
8 performed or have occurred.

## 9 III. FACTUAL ALLEGATIONS

10 3.1. Dobbins is an employee of WAFLA.

11 3.2. Her initial position was as an Administrative Assistant.

12 3.3. Unbeknownst to Dobbins when she began her employment, Fazio has a long  
13 history of unlawful, inappropriate, and discriminatory behavior.

14 3.4. Fazio's unlawful, inappropriate, and discriminatory behavior is especially  
15 egregious considering that WAFLA provides human resources services to agricultural  
16 employers and that Fazio holds himself out as an expert on the subject of employment practices.

17 3.5. Fazio has a pattern and practice of treating female employees with contempt and  
18 ridicule. He routinely raises his voice toward women in the presence of other employees. Fazio  
19 does not treat men this way.

20 3.6. Fazio told Dobbins that he did not want to "share" her with others, that he  
21 wanted Dobbins all to himself, that WAFLA was his company, and that he was the "boss."  
22 Fazio conveyed to Dobbins that he was in the position of power at WAFLA, that it was  
23  
24  
25  
26



1 important to keep him happy, and conversely that it would be unwise to disappoint him or make  
2 him angry.

3 3.7. Examples of Fazio's discriminatory behavior toward women and racial  
4 minorities include, without limitation:

- 5 a. In the presence of other employees, Fazio entered a woman employee's cubicle  
6 and screamed profanities at her. Witnessing this event caused Dobbins to fear  
7 that Fazio would physically assault that employee.
- 8 b. Fazio introduced an Asian Account Executive to a customer as follows: "He will  
9 take care of you. He's Asian. He's smart."
- 10 c. During preparations for a training, when the subject of refreshments was  
11 discussed, Fazio said, "Mexicans drink Coke. That's why they're all fat and have  
12 diabetes!"
- 13 d. When asked for help on a project, Fazio said, "Wait, who's skin is darker? That's  
14 the one who should be doing all the work." Fazio laughed at his own racist  
15 remark, following it up with a sarcastic, "I have a good heart."
- 16 e. Fazio makes remarks about the physical appearance of women employees that he  
17 does not direct toward men. He told a woman employee that her bangs made her  
18 look fat. Fazio also told the woman, "You would be pretty if you lost weight."  
19 And he told her she should wear cosmetics to the office.
- 20 f. During a staff meeting, Fazio talked about how he was from New York and then  
21 listed off the racial epithets that were used to refer to various minority groups.  
22 More than 15 persons were present, including members of minority groups.
- 23 g. Further examples are set forth below.

24 3.8. In October 2016, Fazio promoted Dobbins to serve as Human Resources &  
25 Office Manager. Dobbins became a target for Fazio's outrageous, discriminatory and  
26 stereotyping behavior.

- a. Fazio would meet with Dobbins behind closed doors and sit next to Dobbins  
instead of sitting across each other at a table. Fazio caused his legs to touch hers  
in a sexual and inappropriate manner. Dobbins felt pressured to tolerate this  
behavior. When she would pull away, Fazio would slouch in his seat so his legs

1 could reach and do it again. Fazio intentionally did this in a manner that  
2 concealed his actions from others.

- 3 b. Fazio repeatedly stared at Dobbins's breasts in a sexual manner instead of  
4 looking her in the eyes.
- 5 c. Fazio told Dobbins that he wanted another woman employee to quit because he  
6 did not like her. Fazio told Dobbins he did not like that this employee acted  
7 awkward after Fazio yelled at her. Fazio pressured Dobbins to sign a negative  
8 review for the employee in her capacity as Human Resources & Office Manager.
- 9 d. Dobbins was scared to call an end to Fazio's behavior because she knew Fazio's  
10 propensity to become angry and retaliate against employees. Nonetheless,  
11 Dobbins objected to Fazio's sexist and racist behavior. For example, Dobbins  
12 corrected Fazio in one instance to get him to stop making fun of an employee's  
13 accent. Fazio yelled at Dobbins, "You are so fucking stupid!" And, "I should  
14 beat you with a stupid stick!"
- 15 e. In retaliation for standing up to Fazio, defendants removed Dobbins from her  
16 position as the Human Resources & Office Manager—together with its  
17 opportunities for advancement—and reassigned her to the lowest, entry-level  
18 position in the company: Account Executive.

19 3.9. The demotion occurred despite Dobbins having received excellent informal  
20 reviews of her job performance before then. Defendants knew Dobbins did not want to be an  
21 Account Executive. Dobbins was not hired to serve as an Account Executive, and she had not  
22 applied for that position. Defendants intended for Dobbins to quit WAFLA. Dobbins filed a  
23 formal complaint pursuant to company procedures on or about January 12, 2017. On January 20,  
24 2017, Dobbins was informed that the complaint would not be investigated for another two  
25 months.

26 3.10. Because of having made the complaint, Dobbins was subjected to humiliation in  
the workplace, which was condoned and encouraged by defendants. When an employee cracked  
a joke, for example, the manager would loudly remark so Dobbins could hear: "Careful, or  
*someone* might complain." Fazio told another woman, "I would hug you but *someone* might

1 construe that as sexual harassment!" And, "Here, let's rub legs!" This was intended as a  
2 reference to Dobbins.

3 3.11. The manager complained to employees at a meeting: "All I do is go to meetings,  
4 meetings about complaints, and then meetings where people complain about those complaints."  
5 The manager went on about how she has "had it with passive aggressive employees and their  
6 complaints."  
7

8 3.12. These statements, and others like them, were intended to humiliate Dobbins and  
9 discourage others from standing up to defendants' illegal behavior.

10 3.13. George Zanatta, the Chief Operating Officer of WAFLA, delivered defendants'  
11 "findings" relating to Dobbins' complaint months after the complaint was made. Although the  
12 findings admitted that "some" of Fazio's behaviors were inexcusable, they also attempted to  
13 discredit Dobbins and appallingly called upon Dobbins to apologize to Fazio for allegedly  
14 inaccurate statements.  
15

16 3.14. The findings recommended that Dobbins be re-assigned within the company and  
17 that she be given alleged "[a]ppropriate corrective measures"—apparently a threat of discipline  
18 against Dobbins for the complaints she made. The findings did not recommend any discipline  
19 for Fazio except for a requirement that he apologize to Dobbins. Fazio remains CEO and  
20 Executive Director.  
21

22 3.15. During her entire time at WAFLA, Dobbins never received a formal evaluation

23 3.16. Dobbins suffered adverse employment consequences in retaliation for her  
24 complaints.  
25  
26

1 3.17. Defendants' findings did not appear to consider prior instances of misconduct by  
 2 Fazio that are known to defendants, such as the events underlying the *Mendoza v. WAFLA*  
 3 litigation.

4 3.18. In *Mendoza*, Fazio repeatedly and routinely engaged in behaviors that were  
 5 offensive and demeaning to a reasonable woman, Mexican-American, and person of Mexican-  
 6 American ancestry. These behaviors included, without limitation:

- 8 a. Engaging in angry outbursts toward minor issues with resort to the "F"-  
 9 word, the "N"-word, and other instances of profanity.
- 10 b. When Fazio learned that Mendoza was moving residences, he offered the  
 11 speculation that Mendoza was moving in with some "n-----", since Tacoma  
 12 is full of them."
- 13 c. When Fazio learned that Mendoza was dating a man from Kenya, he went  
 14 on a rampage about "n-----s," described the way Fazio and "his friends"  
 15 used to describe "n-----s" when they were growing up in New York, and  
 16 explained that their terminology had something to do with "eggplant,  
 because this is how n-----s' heads are shaped." This and other rampages  
 were directed toward Mendoza and occurred in the presence of co-  
 workers. They were intended to, and did, subject Mendoza to humiliation,  
 anxiety, fear, embarrassment, and ridicule.
- 17 d. Fazio stated that, when he was growing up in New York, "n-----s" used to  
 18 fight with his "white crew."
- 19 e. Fazio often spoke of his time in the Navy with reference to liberties taken  
 20 with women and particularly non-Caucasian women. Fazio offered that,  
 21 upon returning from deployment, he "banged" "bitches" from his High  
 22 School that he had not previously had the opportunity to "bang." These  
 references were intended to, and did, degrade Mendoza and women in  
 general, promoting the discriminatory view that women are sexual  
 objects.
- 23 f. Also with reference to his time in the Navy, Fazio offered that "bitches"  
 24 in Hawaii and Japan—presumably a reference to non-Caucasian  
 women—can "blow ping pong balls out of their vaginas."
- 25 g. Also with reference to his time in the Navy, Fazio offered a story from  
 26 "when he was the Navy" and he and his "buddies" "crossed the border"  
 and got drunk and danced all night with underaged "señoritas"—another

1 reference to sexually taking advantage of non-Caucasian women while in  
2 the Navy

- 3 h. Fazio routinely expressed disappointment with women who did not fit the  
4 stereotype of women as sexual objects that he favors. He referred to  
5 another woman in the Lacey office as being "fat," and explained that he  
6 could "get away" with paying her less money because "women who are  
7 fat have low self-esteem and therefore are not capable of knowing how  
8 much money they are worth in the workforce."  
9  
10 i. Similarly, in anticipation of a trip to Eastern Washington to visit potential  
11 H-2A clients, Fazio told Mendoza to "make sure and wear your 4-inch  
12 heels" while implying that it would ensure success in retaining new  
13 clients—an overt allusion to Mendoza as a prostitute, again consistent  
14 with Fazio's stereotype of women as sexual objects.  
15  
16 j. On another occasion, Fazio adopted the same allusion to Mendoza as a  
17 prostitute when angrily telling her that "instead of sitting behind a desk"  
18 she should be "putting [her] 4-inch heels to use by being out in the field  
19 and driving up membership numbers."  
20  
21 k. When Fazio wished to denigrate and belittle Mendoza he would throw  
22 objects at her feet, forcing her to pick them up off the floor. This was  
23 intended to, and did, promote the discriminatory stereotype that women  
24 are less important than men.  
25  
26 l. Following complaint by Mendoza about Fazio's behavior to the board, a  
"swear jar" was created in the office in which Fazio was to place a dollar  
for every "swear" word. However, Fazio belittled both the "swear jar"  
and Mendoza's complaints about his behavior by treating it and Mendoza  
as a joke, such as by placing five dollars in the jar as an "advance" upon  
behavior he intended to engage in.  
m. On an occasion on which Mendoza appropriately asked Fazio about  
housing foreign workers from Mexico in the H-2A visa program, Fazio  
instructed Mendoza to divide up the workers "by however many  
Mexicans we can slam in one room." When Mendoza responded that the  
hotel allowed only four guests per room, Fazio responded, "Bull shit. Pile  
them up on top of one another, I'm sure you can fit 20 of them."  
n. On another occasion, when discussing transportation arrangements for  
foreign workers from Mexico, Fazio said to Mendoza: "Figure it out.  
Where one Mexican fits 10 more can squeeze in, isn't that how you guys  
roll?" This was intended to, and did, ridicule Mendoza for being  
Mexican-American and degrade Mexican-Americans in general.

1           o. Defendants responded to one of Mendoza's ongoing complaints about  
2           Fazio's discriminatory behavior and determined to "distance" Mendoza  
3           and Fazio from their "relationship." Defendants carried out this decision  
4           by placing Mendoza, a Mexican-American woman, on administrative  
5           leave, taking away her employer-provided keys, car, and telephone,  
6           requiring her to turn-in all employer property, and advising her that one  
7           outcome of the forthcoming "investigation" could be the termination of  
8           her employment. In contrast, Anderson carried out the decision to  
9           "distance" Mendoza and Fazio with respect to Fazio, a Caucasian man, by  
10          taking no action and instead tasking Fazio with the ultimate responsibility  
11          of terminating Mendoza's employment.

12          3.19. The preceding facts have been known to defendants for years. WAFLA  
13          nonetheless continues to tolerate illegal, discriminatory behavior from Fazio.

14          3.20. Dobbins lived with fear of losing her job, and income, because she knew that  
15          employees who have objected to Fazio's discriminatory conduct in the past have been weeded  
16          out of the organization. Defendants created, and tolerated, an intolerable working environment  
17          for Dobbins, with the intention that Dobbins would find conditions intolerable and voluntarily  
18          quit. The working conditions created by defendants were, in fact, intolerable. She Dobbins  
19          suffered severe anxiety, which has aggravated Dobbins's medical condition and led her to  
20          experience panic attacks. Dobbins has been prescribed anti-anxiety medication as a result of  
21          Fazio's discriminatory conduct.

22          3.21. WAFLA and Fazio created a discriminatory and hostile workplace for Dobbins  
23          based on the fact that she is a woman and in retaliation for her complaints of discrimination.

24          3.22. Dobbins filed a charge with the Equal Employment Opportunity Commission  
25          and received her right-to-sue letter.

26          3.23. On May 31, 2017, defendants terminated Dobbins's employment without  
warning. The termination was unlawful state and federal law. Defendants presented Dobbins



1 with a separation agreement that would have required Dobbins to waive her legal rights with  
2 respect to defendants' unlawful conduct. Dobbins refuses to sign the agreement.

3 3.24. This action is timely.

4  
5 **IV. CAUSES OF ACTION**

6 **Claim No. 1**

7 **Violation of Washington Law Against Discrimination (WLAD), Chapter 49.60 RCW**

8 4.1. Dobbins re-alleges the preceding paragraphs.

9 4.2. Defendants' conduct constitutes violation of the WLAD.

10 4.3. Dobbins has suffered harm as a proximate result of defendants' conduct.

11 **Claim No. 2**

12 **Title VII**

13 4.4. Dobbins re-alleges the previous paragraphs.

14 4.5. Title VII prohibits employers from discriminating against an employee on the  
15 basis of sex and retaliation.

16 4.6. Defendants discriminated against Dobbins because of her sex and in retaliation  
17 for her complaints of sex discrimination in violation of Title VII.

18 4.7. Dobbins has suffered harm as a proximate result of defendants' conduct.

19 **Claim No. 3**

20 **Negligence**

21 4.8. Dobbins re-alleges the preceding paragraphs.

22 4.9. Defendants' conduct constitutes negligence in employment practices, the failure  
23 to carry out reasonable investigation of complaints of discrimination, the failure to remedy  
24 ongoing discrimination, and the failure to protect Dobbins from the threatened and actual  
25 retaliation against her for resisting defendants' unlawful practices.

26 4.10. Dobbins has suffered harm as a proximate result of defendants' conduct.

**Claim No. 4**  
**Negligent Infliction of Emotional Distress**

4.11. Dobbins re-alleges the previous paragraphs.

4.12. Defendants negligently subjected the plaintiff to conduct that was extreme and outrageous, thereby causing severe emotional distress.

4.13. Dobbins has suffered harm as a proximate result of defendants' conduct.

**Claim No. 5**  
**Negligent Hiring, Training, Managing, and Supervision**

4.14. Dobbins re-alleges the previous paragraphs.

4.15. Defendants were negligent in hiring, training, managing and supervising their employees and managers. Defendants knew or should have known of the actions of their employees and their reputation for such actions, including their reputations for engaging in sex discrimination and other unlawful conduct.

4.16. Dobbins has suffered harm as a proximate result of defendants' conduct.

**Claim No. 6**  
**Civil Conspiracy**

4.17. Dobbins re-alleges the preceding paragraphs.

4.18. The conduct of defendants constitutes a civil conspiracy among Fazio and WAFLA to accomplish unlawful purposes of, without limitation, discrimination, retaliation, and attempted constructive discharge, through unlawful means of, without limitation, misrepresentations of fact, and maintaining the unlawful practices of discrimination, retaliation, and attempted constructive discharge.

4.19. Dobbins has suffered harm as a proximate result of defendants' conduct.

**Claim No. 7**  
**Unlawful Termination**



1 4.20. Dobbins re-alleges the preceding paragraphs.

2 4.21. Defendants unlawfully terminated Dobbins.

3 4.22. Dobbins has suffered harm as a proximate result of defendants' conduct.

4  
5 **V. PRAYER FOR RELIEF**

6 WHEREFORE, plaintiff prays for the following relief:

- 7 A. Damages in an amount to be proven at trial;
- 8 B. Equitable relief, consisting of an award sufficient to make Dobbins whole for the
- 9 damage, harms, and expense she has suffered because of defendants' unlawful and
- 10 unequitable conduct, including without limitation all forms of pay compensatory
- 11 damages, back pay, front pay, attorney fees, and other appropriate relief.
- 12 C. Punitive and exemplary damages as allowed by law;
- 13 D. Prejudgment and post-judgment interest;
- 14 E. Plaintiff's costs and attorneys' fees under the WLAD, Title VII, equity, or as otherwise
- 15 provided by law; and
- 16 F. Such other and further relief as the Court deems just and equitable.

17  
18 DATED this 9th day of June, 2017.

19  
20 KELLER ROHRBACK L.L.P.

21  
22 By 

23 Isaac Ruiz, WSBA #35237

24 Ian S. Birk, WSBA #31431

25 Attorneys for Plaintiff Dawn Dobbins

26

## **EXHIBIT B**

**FILED**

JUN 12 2017

Superior Court  
Linda Myhre Enlow  
Thurston County Clerk

SUPERIOR COURT OF WASHINGTON FOR  
THURSTON COUNTY

\_\_\_\_\_  
Plaintiff/Petitioner,

vs.

\_\_\_\_\_  
Defendant/Respondent.

NO. 17-2-03315-34

NOTICE OF ASSIGNMENT and (NTAS)  
NOTICE OF TRIAL SCHEDULING DATE

TO: THURSTON COUNTY CLERK  
ATTORNEYS/LITIGANTS

PLEASE TAKE NOTICE:

1. This case is assigned to: **The Honorable Chris Lanese**
2. The trial scheduling date for this case is: **October 13, 2017.**

**Do not come to court on the trial scheduling date.** Do not call or e-mail the court.  
Instead, file a scheduling questionnaire and serve it on the other parties. The questionnaire is  
attached to this notice. Review Local Court Rule 40 for more information about scheduling.

3. **Plaintiff/Petitioner:** You must serve both this notice and a blank scheduling questionnaire by 5 p.m. on September 29, 2017. If there is no proof of service, the court will not issue a case schedule order. Your deadline for filing and serving a completed scheduling questionnaire is October 06, 2017 at 5 p.m.
4. **All Other Parties:** You must file and serve a completed trial setting questionnaire by October 11, 2017 at noon. Joint submissions by both parties are also accepted on this date.
5. Failure to timely submit a scheduling questionnaire shall not be grounds to delay issuing a case schedule order, and it shall not be grounds to continue the trial unless good cause is demonstrated.
6. The court will not issue a case schedule order unless the case is ready to be scheduled. "Readiness" for scheduling is explained in Local Court Rule 40, which is available on the court's web site and law libraries.
7. Parties can obtain an earlier trial scheduling date by filing and serving a notice of issue form.

Dated this 12th day of June, 2017.

NOTICE OF ASSIGNMENT and  
NOTICE OF SCHEDULING CONFERENCE

Thurston County Superior Court  
2000 Lakeridge Drive SW, Building Two  
Olympia, Washington 98502  
(360) 786-5430

## **EXHIBIT C**

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF THURSTON

DAWN DOBBINS,

Plaintiff,

vs.

WAFLA, a Washington Corporation; and  
DAN FAZIO and JANE DOE FAZIO,  
husband and wife and the marital community  
comprised thereof,

Defendants.

Case No. 17-2-03315-34

NOTICE OF APPEARANCE

TO: The above-named Plaintiffs, and Isaac Ruiz and Ian Birk of Keller Rohrback, LLP, your  
attorneys of record; and  
TO: The Clerk of the Court

COME NOW Defendants, WAFLA and DAN FAZIO and JANE DOE FAZIO and  
herewith enter their appearance in the above-entitled action through Michael E. McFarland, Jr.  
of Evans, Craven & Lackie, P.S., attorneys of record, and requests that all further pleadings  
herein, exclusive of process, be served upon said attorneys at their office address stated below.

Michael E. McFarland, Jr.  
Markus W. Louvier  
Evans, Craven & Lackie, P.S.  
818 W. Riverside, Suite 250  
Spokane, WA 99201

NOTICE OF APPEARANCE - page 1

*Evans, Craven & Lackie, P.S.*  
818 W. Riverside, Suite 250  
Spokane, WA 99201-0910  
(509) 455-5200; fax (509) 455-3632

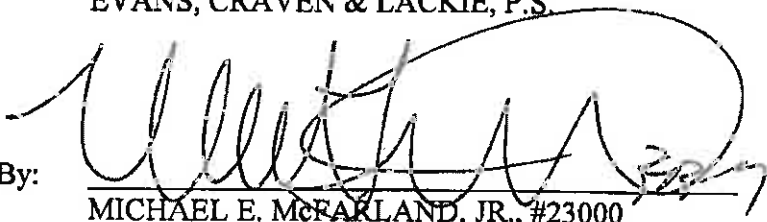
509-455-5200/Fax: 509-455-3632

These Defendants hereby specifically reserve all defenses as to lack of jurisdiction, improper venue, insufficiency of process or any other defenses available to these Defendants.

DATED this 16<sup>th</sup> day of June, 2017.

EVANS, CRAVEN & LACKIE, P.S.

By:

  
MICHAEL E. McFARLAND, JR., #23000  
Attorneys for Defendants

CERTIFICATE OF SERVICE

Pursuant to RCW 9A.72.085, the undersigned hereby certifies under penalty of perjury under the laws of the state of Washington, that on the 16 day of June, 2017, the foregoing was delivered to the following persons in manner indicated:

*Counsel for Plaintiffs*

Isaac Ruiz  
Ian Birk  
Keller Rohrback, LLP  
1201 Third Ave., Suite 3200  
Seattle, WA 98101

Via Regular Mail	<input checked="" type="checkbox"/>
Via Certified Mail	<input type="checkbox"/>
Via Overnight Mail	<input type="checkbox"/>
Via Facsimile	<input checked="" type="checkbox"/>
Hand Delivered	<input type="checkbox"/>

  
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Kimberley L. Mauss